

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - S/S Putty Hill Avenue, 185' E of the c/l of Old Harford Road (4945 Old Harford Road) 9th Election District 6th Councilmanic District

Stephen L. Golueke
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-239-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and Variance filed by the owner of the subject property, Stephen L. Golueke, and the Contract Lessee, Penn Advertising of Baltimore, Inc., by Fred M. Lauer, Esquire, and Donna H. Lorber. The petitioners request a special exception to erect a 12' x 25' illuminated, double-faced advertising sign, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a variance from Section 413.3(5) of the B.C.Z.R. to permit said sign in a block where only 18% of the available frontage is improved with commercial users in lieu of the required 50%. The relief sought is more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Fred M. Lauer, Esquire, and Donna H. Lorber, Real Estate Manager for Penn Advertising, Inc. There were no Protestants.

Testimony indicated that the subject property, known as 8535 Old Harford Road, consists of a gross area of .66 acres, more or less, zoned B.C.Z.R. and is improved with a one-story liquor store. The Petitioners have entered into a contract to lease a portion of the subject site to Penn Advertising, Inc. for the purpose of erecting a 12' x 25' illuminated advertising sign in the location shown on Petitioner's Exhibit 1. Due to

the location of existing improvements on the site and the close proximity of residential properties in the area, the requested variance is necessary. Testimony presented indicated that the proposed use of this property meets the special exception requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and that all other requirements imposed by the B.C.Z.R. for this type of sign will be met. Furthermore, the testimony presented indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

It is clear that the B.C.Z.R. permits the use proposed in a B.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes

- 2 -

of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use

- 3 -

of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of February, 1994 that the Petition for Special Exception to erect a 12' x 25' illuminated, outdoor advertising sign on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building/sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 7, 1994

Fred M. Lauer, Esquire
Ms. Donna H. Lorber
Penn Advertising, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

RE: PETITION FOR SPECIAL EXCEPTION
S/S Putty Hill Avenue, 185' E of the c/l of Old Harford Road
(8535 Old Harford Road)
9th Election District - 6th Councilmanic District
Stephen L. Golueke - Petitioner
Case No. 94-239-XA

Dear Mr. Lauer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

cc: Mr. Stephen L. Golueke
P.O. Box 91, Monkton, Md. 21111

People's Counsel

File

TMK:bjs

Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 8535 OLD HARFORD ROAD

which is presently zoned BL

94-239-XA
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

ONE (1) 12' x 25' ILLUMINATED, DOUBLE FACE ADVERTISING STRUCTURE, PER SECTION 413.3 BC2R

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

LESSEE:

~~XXXXXXXXXXXX~~

Penn Advertising of Baltimore, Inc.

(Type or Print Name)

Donna H. Lorber

(Type or Print Name)

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City

State

Zipcode

Attorney for Petitioner:

Fred Lauer

(Type or Print Name)

Fred Lauer

(Type or Print Name)

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City

State

Zipcode

Why do I solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

(Legal Owner)

Stephen L. Golueke

(Type or Print Name)

Stephen L. Golueke

(Type or Print Name)

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City

State

Zipcode

P. O. Box 91

Address

Monkton, Maryland 21111

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

666-8248

Address

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Unsubstantiated for Hearing

the following date

Next Two Months

All

OTHER

REVIEWED BY: *TMK* DATE: *12/1/93*

Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 8535 OLD HARFORD ROAD

which is presently zoned BL

94-239-XA
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 413.3 (E) see note 22E

TO PERMIT AN OUTDOOR ADVERTISING SIGN IN A BLOCK WHERE 21 PERCENT OF THE AVAILABLE FRONTAGE OF SAID BLOCK IS IMPROVED WITH COMMERCIAL USERS IN LIEU OF THE REQUIRED 50 PERCENT.

OF THE ZONING REGULATIONS OF BALTIMORE COUNTY, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

THE STREET CORNER SIDE OF THE PROPERTY, WHERE SIGN IS TO BE LOCATED, (PUTTY HILL) HAS 50 PERCENT OF THE AVAILABLE FRONTAGE IMPROVED WITH COMMERCIAL USERS.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

LESSEE:

~~XXXXXXXXXXXX~~

Penn Advertising of Baltimore, Inc.

(Type or Print Name)

Donna H. Lorber

(Type or Print Name)

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City

State

Zipcode

Attorney for Petitioner:

Fred Lauer

(Type or Print Name)

Fred Lauer

(Type or Print Name)

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Name

666-8248

Address

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Unsubstantiated for Hearing

the following date

Next Two Months

All

OTHER

REVIEWED BY: *TMK* DATE: *12/1/93*

Why do I solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

(Legal Owner)

Stephen L. Golueke

(Type or Print Name)

Stephen L. Golueke

(Type or Print Name)

3001 Remington Avenue

Address

Baltimore, Maryland 21211

City

State

Zipcode

P. O. Box 91

Address

Monkton, Maryland 21111

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Name

666-8248

Address

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Unsubstantiated for Hearing

the following date

Next Two Months

All

OTHER

REVIEWED BY: *TMK* DATE: *12/1/93*

ZONING DESCRIPTION 94-239-XA
PENN ADVERTISING
8535 OLD HARFORD ROAD

BEGINNING FOR THE SAME AT A POINT ON THE SOUTH SIDE OF PUTTY HILL AVENUE, 65 FT. WIDE, 185 FT. MORE OR LESS EAST OF THE CENTERLINE OF OLD HARFORD ROAD, 60 FT. WIDE; THENCE LEAVING SAID RIGHT OF WAY OF PUTTY HILL AVENUE AND RUNNING SOUTH 41 DEGREES 50 MINUTES 02 SECONDS WEST 122.67 FT.; THENCE NORTH 69 DEGREES 25 MINUTES 59 SECONDS WEST 102.09 FT. TO THE EAST SIDE OF OLD HARFORD ROAD, 60 FT. WIDE; THENCE NORTH 20 DEGREES 34 MINUTES 00 SECONDS EAST 134.60 FT.; THENCE NORTH 61 DEGREES 34 MINUTES 00 SECONDS EAST 134.60 FT.; AFOREMENTIONED SOUTH SIDE OF PUTTY HILL AVENUE; THENCE BY A CURVE TO THE RIGHT HAVING A RADIUS OF 365.00 FT. AND A LENGTH OF 87.97 FT.; THENCE SOUTH 48 DEGREES 07 MINUTES 00 SECONDS EAST 48.27 FT. TO THE POINT OF BEGINNING.

CONTAINING 17,679 SQ. FT. OF LAND MORE OR LESS.



236

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11A Date of Posting: 11/29/93
Posted for: Public Hearing on Petition
Petitioner: Pen Advertising of Baltimore, Inc.
Location of property: 8535 Old Harford Rd. Baltimore, Md.
Location of Sign: 111 W. Chesapeake Ave. Room 118, Towson, Md.
Remarks: None
Posted by: [Signature] Date of return: 12/3/93
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/30, 1993
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/30, 1993.

THE JEFFERSONIAN,
BALTIMORE - TOWSON
Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, at 11:00 a.m. on Tuesday, January 18, 1994, at 11:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, as follows:
Case Number: 94-239-XA (Item 236)
8535 Old Harford Road
8th Election District - 6th Councilmanic
Legal Owner(s): Stephen L. Golube
Lessee: Penn Advertising of Baltimore, Inc.
Hearings: TUESDAY, JANUARY 18, 1994 at 11:00 a.m. in Room 118, Old Courthouse.
Special Exception for new 12-foot by 25-foot illuminated, double-face advertising structure.
Variance to permit an outdoor advertising sign in a block where 21 percent of the available frontage of said block is improved with commercial users in lieu of the required 50 percent.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
12/28/93 December 30

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 12/8/93 Number: 94-239-XA
Taken In By: 7078
Item Number: 236
Pen Advertising of Baltimore, Inc.
8535 Old Harford Rd.
#050 - Spec Exception - \$300.00
#020 - Comm Variance - \$750.00
#080 - 2 signs - \$70.00
620.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management

#236

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 236
Petitioner: Pen Advertising of Baltimore, Inc.
Location: 8535 Old Harford Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Pen Advertising of Baltimore, Inc.
ADDRESS: 3001 Remington Avenue
Baltimore, MD 21211
PHONE NUMBER: 235-8820

AJ:ggg

(Revised 04/09/93)

Item Number: 236
Planner: MJM
Date Filed: 12-8-93

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the Zoning Commissioner's review of the petition regarding the items noted below. If decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:
Descriptions, including accurate beginning point
Actual address of property
Zoning
Acreage
Plats (need 12, only 1 submitted)
200 scale zoning map with property outlined
Election district
Councilmanic district
BCZB section information and/or wording
Hardship/practical difficulty information
Owner's signature (need minimum 1 original signature) and/or
Contract purchaser's signature (need minimum 1 original signature) and/or
Signature (need minimum 1 original signature) and/or
Printed name and/or title of person signing for legal owner/contract purchaser
Power of attorney or authorization for person signing for legal owner and/or contract purchaser
Attorney's signature (need minimum 1 original signature) and/or
Notary Public's section is incomplete and/or incorrect
and/or commission has expired

PET-FLAG (TXTSOPH)
11/17/93

NOTICE OF HEARING

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CASE NUMBER: 94-239-XA (Item 236)
8535 Old Harford Road
8th Election District - 6th Councilmanic
Legal Owner(s): Stephen L. Golube
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Special Exception for new 12-foot by 25-foot illuminated, double-face advertising structure.
Variance to permit an outdoor advertising sign in a block where 21 percent of the available frontage of said block is improved with commercial users in lieu of the required 50 percent.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOVEMBER 22, 1993

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, at 11:00 a.m. on Tuesday, January 18, 1994, at 11:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, as follows:

CASE NUMBER: 94-239-XA (Item 236)
8535 Old Harford Road
8th Election District - 6th Councilmanic
Legal Owner(s): Stephen L. Golube
Lessee: Penn Advertising of Baltimore, Inc.
Hearings: TUESDAY, JANUARY 18, 1994 at 11:00 a.m. in Room 118, Old Courthouse.

Special Exception for new 12-foot by 25-foot illuminated, double-face advertising structure.
Variance to permit an outdoor advertising sign in a block where 21 percent of the available frontage of said block is improved with commercial users in lieu of the required 50 percent.

Arnold Jablon
Director

cc: Stephen Golube
Penn Advertising of Baltimore, Inc./Fred Lauer, Esq.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Recycled Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 7, 1994

Fred M. Lauer, Esquire
3001 Remington Avenue
Baltimore, Maryland 21211

RE: Case No. 94-239-XA, Item No. 236
Petitioner: Stephen L. Golube, et al
Baltimore County Zoning and Special Exception

Dear Mr. Lauer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 8, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hal Kassoff
Administrator

Re: Baltimore County
Item No: 94-239-XA

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

John Constable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202



700 Eastpopple Road Suite 907
Towson, MD 21286-5500

(410) 887-1500

Arnold Jablon,
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

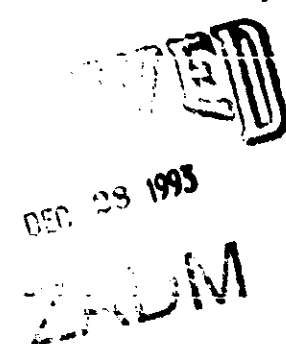
RE: Property Owner: STEPHEN L. GOLIVEKE

LOCATION: 8535 PUTTY HILL AVE., 185' E OF CENTERLINE OLD HARFORD RD.
(8535 OLD HARFORD RD.)
Item No.: 236 (MCE) Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Prevention Bureau has no comments at this time.



REVIEWED BY: S. BECK P. LAUFERWALD
Fire Prevention Bureau 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

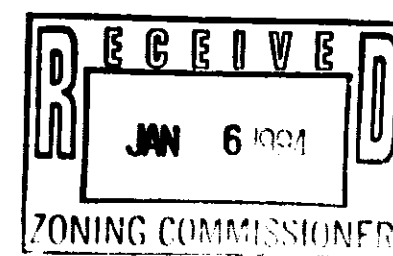
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: December 28, 1993

SUBJECT: 8535 Old Harford Road



INFORMATION:

Item Number: 236

Petitioner: Stephen L. Goliveke

Property Size:

Zoning: B.L.

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The petitioner requests a Special Exception for an illuminated 12' X 25' outdoor advertising sign.

This office recognizes that high standards for signs enhance the esthetic appearance of the community and the ability of the commercial sector to thrive in an attractive environment.

Staff believes the control of outdoor advertising signs is essential in protecting the health, safety and welfare of the citizens of Baltimore County. In certain locations, the unique scale and design of outdoor advertising signs clearly compromises public safety, since these signs are distracting. The very purpose of an outdoor advertising sign is to attract the attention of motor vehicle operators in order to convey a commercial message.

The problem of competitive waste is of concern to staff. Excessively large signs serve to encourage some business people to increase signage in order to compete for the attention of passersby.

ZAC.236/PZONE/ZAC1

Pg. 1

The Baltimore County Master Plan makes several references to the importance of controlling signage. On page 74, the following issue is identified:

"The sign regulations need to be completely updated and revised. The regulations should distinguish between new and existing signs, as well as public and private signage. Incentive for... phasing out nonconforming uses should be evaluated. Compliance with adopted local community plans should also be considered."

The Planning Office recently submitted a staff report to the Planning Board on proposed sign amendments to the Baltimore County Zoning Regulations. This report was developed with the help of an advisory group and input received from a wide spectrum of interest groups. The report, itself, is a direct response to the goals of the Master Plan.

The site on which the applicant proposes to locate the sign is bounded to the east by the Putty Hill Shopping Center, the Baltimore County Police Department, Pet. 8 and Baltimore County Fire Department, Parkville Co 10 to the west, two automobile service stations are located to the north and a parking lot serving the Putty Hill Shopping Center is situated to the south. The businesses in the area of the applicant's request form a commercial node; however, the closest commercial corridor is located approximately one mile from the subject site. Housing types from apartments to single family detached dwellings are found in the immediate area of the property. The apartment complexes and community are all very well maintained.

This office believes that outdoor advertising signs are more appropriately located along established commercial corridors where impact to residential communities can be minimized. In the subject case, staff opposes the applicant's request because the sign would have a negative visual impact on this portion of Old Harford Road and also on the residential communities located along Putty Hill Avenue and Old Harford Road.

Prepared by: Jeffrey W. Long

Division Chief: Cathy L. Riser

PK/JL:lw

ZAC.236/PZONE/ZAC1

Pg. 2



111 West Chesapeake Avenue
Towson, MD 21204

January 11, 1994

(410) 887-3353

Fred M. Lauer, Esquire
3001 Remington Avenue
Baltimore, Maryland 21211

RE: Case No. 94-239-XA, Item No. 236
8535 Old Harford Road
Petitions for Special Exception and Variance

Dear Mr. Lauer:

Enclosed are copies of comments received from the Office of Planning and Zoning on January 11, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

94-239-XA



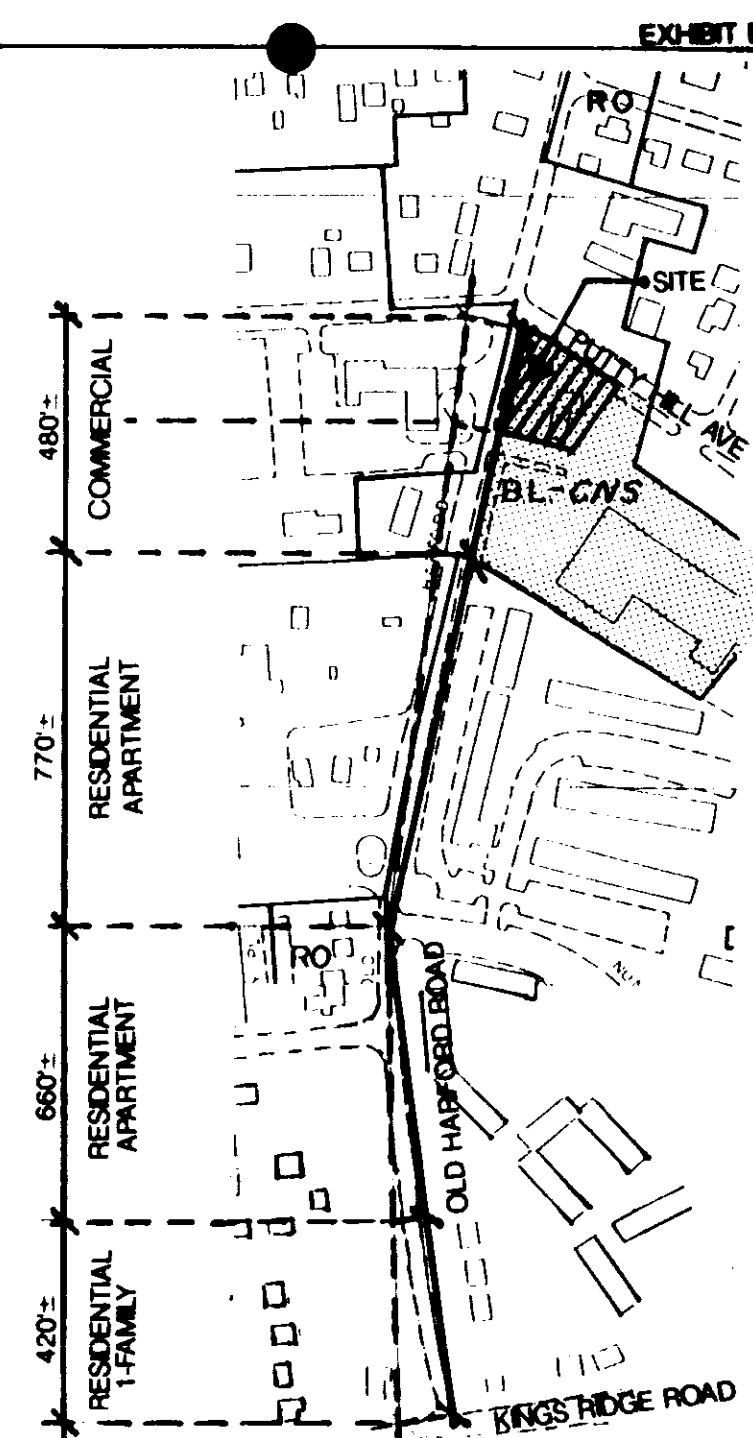
BLOCK FRONTAGE CALCULATIONS

COMMERCIAL:
SITE (LIQUOR PUMP)
PUTTY HILL
SHOPPING CENTER
200' +/-
280' +/-
480' +/-

RESIDENTIAL:
APARTMENT
1 FAMILY
1370' +/-
420' +/-
1790' +/-

TOTAL FRONTAGE: 2270' +/-

COMMERCIAL/TOTAL = 480/2270 = 21%



94-239-XA

SECTION 413.3(E)
No outdoor advertising sign shall be erected in any B.L. or B.M. zone unless at least 50% of the available frontage between streets, on that side of the street wherein the sign is proposed to be located, is improved with commercial uses. (B.C.Z.P., 1955.)

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT

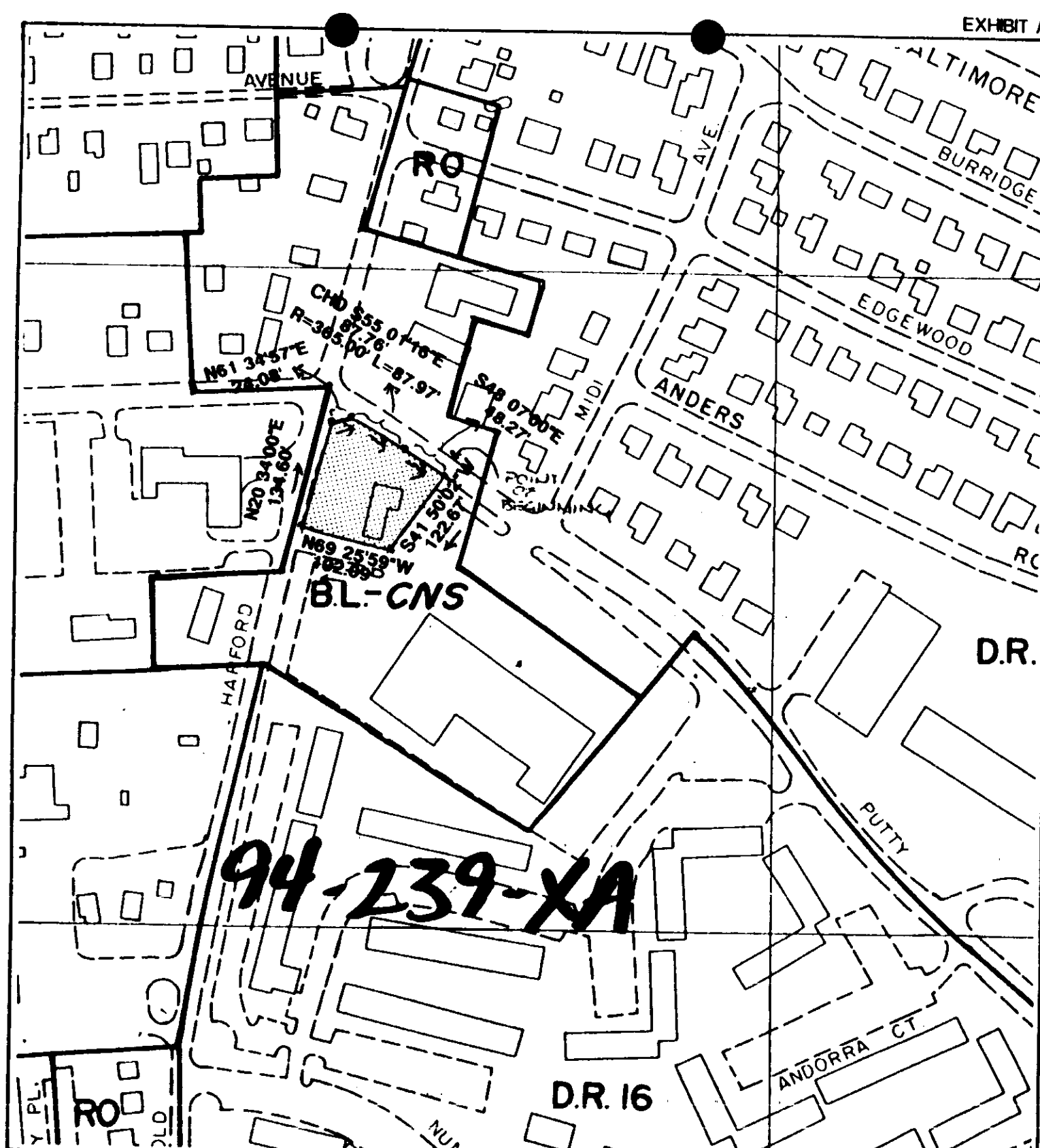
FRONTAGE CALCULATIONS FOR
PURPOSES OF SIGNAGE
TO ACCOMPANY VARIANCE &
SPECIAL EXCEPTION REQUEST

APPLICANT:
PENN ADVERTISING
OF BALTIMORE, INC.
3001 REMINGTON AVE
BALTIMORE, MD 21211

8535 OLD HARFORD ROAD
BALTIMORE COUNTY, MARYLAND

1/14/94 P 45-38 1" 400'

#236



WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT

ZONING MAP TO ACCOMPANY
SPECIAL EXCEPTION REQUEST
AND VARIANCE APPLICATION

APPLICANT:
PENN ADVERTISING
OF BALTIMORE, INC.
3001 REMINGTON AVE
BALTIMORE, MD 21211

8535 OLD HARFORD ROAD
BALTIMORE COUNTY, MARYLAND

1/14/94 P 45-38 1" 400'

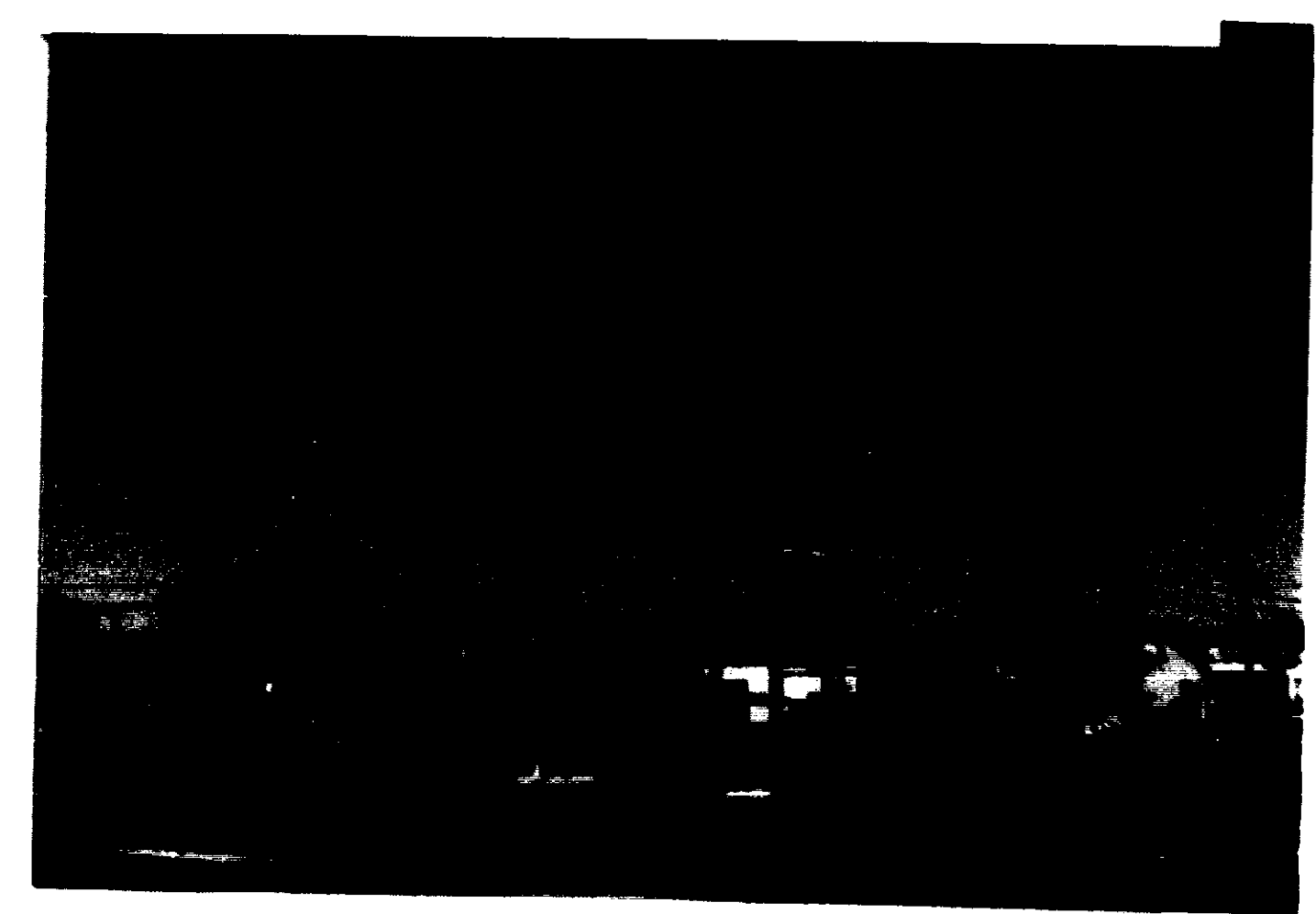
1" 400' #236

94-239-XA



PETITIONER'S
EXHIBIT NO. 21

PETITIONER'S
EXHIBIT NO. 21



PETITIONER'S
EXHIBIT NO. 26

